

FISCAL NOTE

Bill #: HB0700

Title: Revise environmental laws

Primary Sponsor: Brueggeman, J

Status: As Amended in House Committee

Sponsor signature	Date	Chuck Swysgood, Budget Director	Date
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Fiscal Summary

	<u>FY 2004 Difference</u>	<u>FY 2005 Difference</u>
Expenditures:	\$0	\$0
Revenue:	\$0	\$0
Net Impact on General Fund Balance:	\$0	\$0

<input type="checkbox"/> Significant Local Gov. Impact	<input type="checkbox"/> Technical Concerns
<input type="checkbox"/> Included in the Executive Budget	<input type="checkbox"/> Significant Long-Term Impacts
<input type="checkbox"/> Dedicated Revenue Form Attached	<input type="checkbox"/> Needs to be included in HB 2

Fiscal Analysis

ASSUMPTIONS:

1. The provisions allowing the Board of Environmental Review to adopt rules for general air quality permits or registration as an alternative to air quality permitting will have no fiscal impact. Expenses will remain the same since the DEQ will shift air quality permitting staff to focus on higher priority issues. Revenue will remain at a level sufficient to cover the costs of the air quality permitting function as required in 75-2-220, MCA. Any air quality registration fees adopted by the board will not increase fee revenue, since they will replace existing air quality permit fees.
2. The provisions allowing the board to adopt rules authorizing general permits for categories of point source discharges will have no fiscal impact.
3. HB 700 provides that a request for hearing does not stay issuance of an air quality permit unless the board grants a stay after notice and hearing. The DEQ assumes that most appellants will request a stay to stop construction or operation of the proposed emitting unit. This creates an additional hearing before the board for each request for a hearing on the issuance of an air quality permit. The extra hearing regarding the issuance of the stay will take approximately 20 hours of DEQ staff time and 50 hours of board attorney time (charged at \$70 per hour). There will be no fiscal impact since existing department staff will absorb the additional duties and the department will absorb the additional \$3,500 in board attorney fees.
4. The DEQ would not likely request the board to order a stay on a permit the department has issued. Therefore, the provision allowing the board to require an appellant who has requested a stay granted by the board to post a bond will have no fiscal impact on the department.
5. Based on the assumptions stated above, there will be no fiscal impact during the 2005 biennium.